

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN DOE,

Case No.: 1:23-cv-01791-PAE

Plaintiff,

-against-

MANHATTAN COLLEGE,

Defendant.  
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PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)

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PLEASE TAKE NOTICE that Plaintiff John Doe ("Plaintiff"), pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses all claims in this action *without prejudice* as to Defendant Manhattan College ("Defendant").

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

**(a) Voluntary Dismissal.**

**(1) By the Plaintiff.**

(A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment

\* \* \*

Defendant has neither answered Plaintiff's Complaint, nor filed a motion for summary judgment. Accordingly, this matter may be dismissed without prejudice and without an Order of the Court.

Dated: March 7, 2023

*Counsel for Plaintiff John Doe*

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In light of plaintiff's voluntary dismissal, the Court adjourns today's initial pretrial conference. SO ORDERED.



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PAUL A. ENGELMAYER  
United States District Judge  
March 7, 2023